

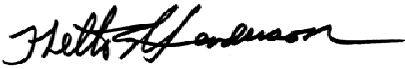
LAFRANCE BEAL,)	
)	
Petitioner,)	No. C 08-1705 TEH (PR)
)	
vs.)	ORDER OF DISMISSAL
)	AND GRANTING IN
M. S. EVANS, Warden,)	FORMA PAUPERIS
)	MOTION
Respondents.)	
)	

The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") was signed into law on April 24, 1996. Under AEDPA, a second or successive petition may not be filed in this Court unless Petitioner first obtains from the United States Court of Appeals for the Ninth Circuit an order authorizing this court to consider the petition. See 28 U.S.C. § 2244(b)(3)(A). Petitioner has not presented such an order from the Ninth Circuit to this Court. The petition

1 accordingly is DISMISSED without prejudice to refiling if petitioner obtains the
2 necessary order. As such, the Clerk shall close the file and enter judgment in
3 accordance with this order.

4 SO ORDERED.

5
6 DATED: 01/21/09



THELTON E. HENDERSON
United States District Judge